

**UNITED STATES DISTRICT COURT**  
*Eastern District of Washington*

GEORGE BARTZ, a/k/a George D. Bartz,

Plaintiff,

v.

WASHINGTON STATE DEPARTMENT  
OF CORRECTIONS, ELDON VAIL, and  
BERNIE WARNER,

Defendants.

**JUDGMENT IN A CIVIL CASE**

CASE NUMBER: CV-08-272-CI

☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

☒ **Decision by Court.** This action came to hearing before the Court. The issues have been heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED: the Report and Recommendation (ECF No. 106) is ADOPTED in its entirety. IT IS ORDERED that:

1. Defendant's Motion for Summary Judgment, ECF No. 93, is GRANTED in part;
2. Plaintiff's Motion for Summary Judgment, ECF No. 100, is DENIED;
3. Plaintiff's § 1983 claim is dismissed for failure to state a claim;
4. Plaintiff's Supremacy Clause claim is dismissed for failure to state a claim; and
5. Plaintiff's state law claims are dismissed without prejudice;

IT IS FURTHER ORDERED all pending motions are DENIED as moot.

April 9, 2013

Date

SEAN F. McAVOY

Clerk

s/ Sheila Parpolia

(By) Deputy Clerk

Sheila Parpolia